

## REMARKS

In accordance with the foregoing, claims 1-4, 8-11, and 14-18 are amended. Claims 1-21 are pending and under consideration.

Claims 1-6, 8-13 and 15-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Bailey et al. (U.S.P. 5,835,084); and claims 7, 14 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bailey in view of Kudoh et. al. (U.S.P. 5,948,058).

The rejections are traversed.

## CLAIM AMENDMENTS

Claims 1, 8, and 15 are amended to recite, respectively, a device for reading electronic mails, a storage medium, and a method, using claim 1 as an example, including "fixing a state of "unread: of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, the fixed state of "unread" being not changed by reading the electronic mail with the fixed state of "unread" after the predetermined timing."

Dependent claims 2, 9, and 16 are amended to recite, respectively, a device, a storage medium, and a method, using claim 2 as an example, wherein the "holding unit holds a list with which each electronic mail with the state of "unread" stored in said storing unit at the predetermined timing is registered as the electronic mail with the fixed state of 'unread'."

Dependent claims 3, 10, and 17 are amended to recite, respectively, a device, a storage medium, and a method, using claim 3 as an example, "wherein said controller specifies the electronic mail with the fixed state of "unread" corresponding to the request by use of said list."

Dependent claims 4, 11, and 18 are amended to recite, respectively, a device, a storage medium, and a method, using claim 4 as an example, further comprising a "display controller displaying a screen for searching the electronic mail with the fixed state of "unread" managed by said holding unit on said display."

Dependent claim 14 is amended to correct an informality.

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

**Item 3: Rejection of claims 1-6, 8-13 and 15-20 under 35 U.S.C. 102(b) as being anticipated by Bailey**

**Item 4: Rejection of 4 claims 7, 14 and 21 under 35 U.S.C. 103(a) as being unpatentable over Bailey in view of Kudoh.**

The Examiner rejects independent claims 1, 8, and 15 (and respective dependent claims 2-6, claims 9-13 and claims 16-19) under 35 U.S.C. §102(b) as being anticipated by Bailey, and

dependent claims 7, 14, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bailey in view of Kudoh. (Action at pages 3-8 and pages 8-9, respectively).

Independent claims 1, 8, and 15 (all as amended) recite, respectively, a device for reading electronic mails a storage medium, and a method, using claim 1 as an example, including "storing unread/already-read information corresponding to each of received electronic mails; . . . fixing a state of "unread" of each electronic mail having an "unread" state based on the unread/already-read information at a predetermined timing, the fixed state of "unread" being not changed by reading the electronic mail with the fixed state of "unread" after the predetermined timing; and . . . controlling a management of reading of the electronic mail with the fixed state of "unread" managed by said holding unit."

Bailey does not discuss or suggest, for example, that a state of "unread" is fixed based on contents of the unread/already-read information at a predetermined timing. Further Bailey does not discuss that "the fixed state of 'unread'" is not changed by reading it after a predetermined timing.

Instead, Bailey merely teaches (see, for example, col. 2, lines 45-55) a method for distinguishing between read and unread messages in which:

(h)euristics are employed to determine whether the user is likely to be reading the message while it is displayed . . . If any heuristic condition is met, the message is marked as read.

That is, Bailey merely teaches a method for storing unread/already messages and for distinguishing between read and unread messages.

Kudoh merely teaches (see, for example, col. 3, starting at line 30) an apparatus for displaying e-mail and an e-mail retrieving system by which header information and classified state of possessed e-mails can be seen.

An *arguendo* combination of Bailey in view of Kudoh merely teaches a device and method in which if a heuristic condition is met, the message is marked as read and a cataloging and retrieving system by which header information and classified state of possessed e-mails can be seen.

Further, dependent claims recite features not taught, or suggested, by the cited art alone or in combination, for example, dependent claims 2, 9, and 16, all as amended using claim 2 as an example, recite storing "the state of "unread" or a state of "already-read" of a corresponding electronic mail as the unread/already-read information, . . . holds a list with which each electronic mail with the state of "unread" stored in said storing unit at the predetermined timing is

registered as the electronic mail with the fixed state of "unread"; and . . . executes a process displaying a registered electronic mail in said list on a display according to a request for reading the registered electronic mail."

None of the cited art, alone or in combination, discuss or suggest such a holding of a list with which each electronic mail with the state of "unread" stored in said storing unit at the predetermined timing is registered as the electronic mail with the fixed state of "unread."

### **Conclusion**

Since features recited by independent claims 1, 8, and 15 (and respective dependent claims 2-6, 9-13, and 16-19) (all as amended) are not taught or suggested by the cited art, alone or in combination, the rejection should be withdrawn and claims 1-21 allowed.

### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

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By:

Paul W. Bobowiec  
Paul W. Bobowiec  
Registration No. 47,431

1201 New York Ave, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501